

From: Freddy Martinez**07/05/2019****Subject: RE: Freedom of Information Act Request #19-F-0129****Mail**

FOIA officer,

I am formally appealing this FOIA request to your office. On December 8th, 2018 I formally requested these records for the contract between GDIT and ORR. It was reassigned to PSC on March 14th, 2019 and reassigned the case number: FOIA 19-0171-FOIA.

ORR / PSC has failed to respond to a records requests within 20 days see 5 U.S.C. 552 (a)(6)(A)(i). To date ORR / PSC has due to "unusual circumstances" that they are unable to locate records under the time frame allowed under FOIA (see 5 U.S.C. 552 (a) (6) (B) (i)). However ORR / PSC has not responded within the 10 day extension afforded by 5 U.S.C. 552 (a) (6) (B) (i). They also have not asserted "extraordinary circumstances" to justify their refusal to respond to me (the Request) within the time period required by the FOIA. (see Government Accountability Project v US Department of HHS 568 F Sup 2d 44, 58 D.D.C. 2008) (citing Open America v. Watergate Special Prosecution Force 547 F. @d 605, 616 D.C. Cir. 1976). In light of all this, I am asserting that ORR / PSC are not exercising due diligence responding to this Request.

I respectfully request ORR / PSC respond to this appeal within 20 business days. See 5 USC 552 (a) (6) (A) (ii).

Freddy Martinez

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